

UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/050,692	01/16/2002	Darrell H. Carney	3033.1002-004

CONFIRMATION NO. 6715

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

FORMALITIES LETTER



OC000000007478057

Date Mailed: 02/14/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/17/2002 BABRAHA1 00000135 10050692

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:103	468.00 OP
04 FC:102	420.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$888.
 - \$468 for 26 total claims over 20.
 - \$420 for 5 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1758.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Darrell H. Carney, Roger S. Crowther, David J. Simmons, Jinping Yang
and William R. Redin

Application No.: 10/050,692 Group: 1645

Filed: January 16, 2002 Examiner: Not Provided

For: STIMULATION OF BONE GROWTH WITH THROMBIN PEPTIDE
DERIVATIVES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>5/10/02</u>	<u>Sandra D. Brigham</u>
Date	Signature
<u>Sandra D. Brigham</u>	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated February 14, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

(Separate transmittal letter and postcard not required)

☐ **POWER OF ATTORNEY DOCUMENT**

☐ **GRANTED BY INVENTOR(S)**

☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

(Separate transmittal letter and postcard not required)

☐ **PRELIMINARY AMENDMENT**

(Separate transmittal letter and postcard not required)

☒ **FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

☒ Claims as originally filed

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

☒ **SURCHARGE** - surcharge fee of \$ 130.00
(Separate transmittal letter and postcard not required)

☒ **SEQUENCE LISTING** - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated February 14, 2002 for one month from April 14, 2002 to May 14, 2002. The appropriate fee of \$110.00 is included in the enclosed check

☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee
☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on []

☐ Is enclosed herewith

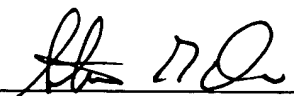
(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of **\$1868.00**. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

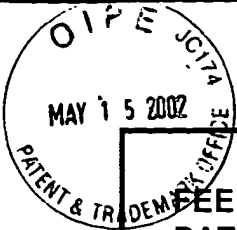
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Steven G. Davis
Registration No.: 39,652
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date:

May 10, 2002



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

FREE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number

3033.1002-004

Application Number

10/050,692

First Named Inventor

Darrell H. Carney

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	46 - 20* =	26	x \$ 18 =	\$ 468
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	8 - 3** =	5	x \$ 84 =	\$ 420
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 1628
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
				TOTAL =	\$ 1628
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 110
				Assignment Recordation Fee = (only when filed with application)	\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 1868

1. Small entity status:

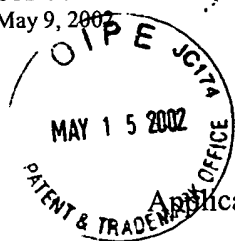
- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1868.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature		Date	May 10 2002
Submitted by Typed or Printed Name	Steven G. Davis	Reg. Number	39,652



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darrell H. Carney, Roger S. Crowther, David J. Simmons, Jinping Yang
and William R. Redin

Serial No.: 10/050,692

Group Art Unit: 1645

Filed: January 16, 2002

Examiner: Not Assigned

For: STIMULATION OF BONE GROWTH WITH THROMBIN PEPTIDE
DERIVATIVES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202	
on <u>5/10/02</u>	<u>Sandra D. Brigham</u>
Date	Signature
<u>Sandra D. Brigham</u>	
Typed or printed name of person signing certificate	

TRANSMITTAL OF SEQUENCE LISTING
IN REPLY TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents
Box Sequence, P.O. Box 2327
Arlington, VA 22202

Sir:

This paper is submitted in response to the Notice to File Missing Parts of Application, mailed from the Patent Office on February 14, 2002. A copy of the Notice is attached.

Applicant's Attorney requests a one-month extension of time to respond to the Notice. A Petition for the Extension and the appropriate fees are being filed concurrently.

Transmitted herewith is a copy of the "Sequence Listing" (sheets 1/3 through

3/3) in paper form for the above-identified patent application as required by 37 C.F.R. §1.821(c) and a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicant's Attorney hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

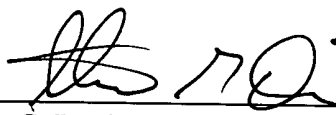
In the Specification

Please insert the attached "Sequence Listing" (sheets 1/3 through 3/3), and comprising SEQ ID NOS: 1-6, into the above-referenced application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By



Steven G. Davis, Esq.

Registration No.: 39,652

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date:

May 10, 2002